

MINUTES

MONTANA SENATE 60th LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS, LABOR, AND ECONOMIC AFFAIRS

Call to Order: By **CHAIRMAN VICKI COCCHIARELLA**, on February 23, 2007 at 8:00 A.M., in Room 422 Capitol.

ROLL CALL

Members Present:

Sen. Vicki Cocchiarella, Chairman (D)
Sen. Joe Balyeat (R)
Sen. Roy Brown (R)
Sen. John Esp (R)
Sen. Verdell Jackson (R)
Sen. Lane L. Larson (D)
Sen. Don Ryan (D)
Sen. Frank Smith (D)
Sen. Carolyn Squires (D)
Sen. Donald J. Steinbeisser (R)
Sen. Joseph (Joe) Tropila (D)

Members Excused: None.

Members Absent: None.

Staff Present: Claudia Johnson, Committee Secretary
Pat Murdo, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: SB 541, 2/21/2007; SB 537,
2/19/2007; SB 542, 2/19/2007; SB
535, 2/19/2007; SJ 17, 2/19/2007
Executive Action: SB 541, SJ 17, SB 537, SB 542, SB
535, SB 517, SB 489, SB 467

00:00:22 Chairwoman Cocchiarella

HEARING ON SB 541

Opening Statement by Sponsor:

00:02:09 **SEN. JOHN BRUEGGEMAN (R), SD 6**, opened the hearing on **SB 541**, Allow facility finance authority to finance projects for profit organizations.

Proponents:

00:03:26 John Marchi, Montana Facility Finance Authority (MFFA)

EXHIBIT(bus41a01)

00:11:15 Liz Marchi, Montana West Economic Development

00:14:53 Web Brown, Montana Chamber of Commerce (MCC)

Opponents:

00:14:58 Dave Ewer, Governor's Office (see below)

Informational Testimony: None.

Questions from Committee Members and Responses:

00:15:28 Sen. Brown to John Marchi, MFFA

00:17:54 Sen. Balyeat to John Marchi, MFFA

00:18:31 Sen. Cocchiarella to John Marchi, MFFA

00:19:27 Sen. Tropila to Web Brown, MCC

00:19:46 Sen. Balyeat to Web Brown, MCC

00:22:27 Sen. Balyeat to John Marchi, MFFA

00:24:00 Sen. Balyeat to Sen. Brueggeman

00:28:51 David Ewer, Budget Director, Governor's Office
David Ewer came in late as an opponent.

00:30:42 Sen. Balyeat to David Ewer, Governor's Office

00:38:43 Sen. Cocchiarella to David Ewer, Governor's Office

00:43:19 Sen. Cocchiarella to John Marchi, MFFA

00:48:03 Sen. Cocchiarella to Liz Marchi, Montana West Economic
Development

Closing by Sponsor:

00:49:35 Sen. Brueggeman

HEARING ON SB 537

Opening Statement by Sponsor:

00:54:03 **SEN. ROY BROWN (R), SD 25**, opened the hearing on **SB 537**, Revise laws governing prepaid legal plan.

Proponents:

00:55:04 Jacqueline Lenmark, Prepaid Legal Services, Inc., and
American Insurance Association (AIA)

EXHIBIT (bus41a02)

Opponents: None.

Informational Testimony:

01:00:24 Lynne Egan, Securities, State Auditor's Office (SAO)

Questions from Committee Members and Responses:

01:01:54 Sen. Cocchiarella to Jacqueline Lenmark, Prepaid Legal
Services, Inc., and AIA

01:05:16 Sen. Smith to Jacqueline Lenmark, Prepaid Legal
Services, Inc., and AIA

01:09:24 Sen. Cocchiarella to Jacqueline Lenmark, Prepaid Legal
Services, Inc., and AIA

Closing by Sponsor:

01:11:00 Sen. Brown

HEARING ON SB 542

Opening Statement by Sponsor:

Sen. Lane Larson presented SB 542

01:11:37 **SEN. DON RYAN (D), SD 10**, opened the hearing on **SB 542**,
Revise group life insurance payment options.

Proponents:

01:11:58 Jacqueline Lenmark, American Council of Life Insurers
(ACLI)

01:18:46 Don Allen, National Association of Insurance Advisors

01:19:33 Jacqueline Lenmark for Greg Van Horssen, State Farm
Insurance Company, John Metropoulos and Dwight Easton
for Farmers Insurance Group

Opponents: None.

Informational Testimony: None.

Questions from Committee Members and Responses:

01:20:09 Sen. Cocchiarella to Jacqueline Lenmark, ACLI

01:21:29 Sen. Esp to Jacqueline Lenmark, ACLI

01:22:30 Pat Murdo, LSD to Sen. Esp

Closing by Sponsor:

01:23:14 Sen. Larson

HEARING ON SB 535

Opening Statement by Sponsor:

01:23:33 **SEN. VICKI COCCHIARELLA (D), SD 47**, opened the hearing
on **SB 535**, Creating annuity suitability and disclosure
act.

Proponents:

01:26:27 Jacqueline Lenmark, American Council of Life Insurers
(ACLI)

01:33:26 Don Allen, Montana National Association of Insurance
Advisors

01:34:55 Dwight Easton, Farmers Insurance Group

Opponents: None.

Informational Testimony:

01:35:57 Lynne Egan, Securities, State Auditor's Office (SAO)

01:37:48 Carol Roy, SAO

EXHIBIT(bus41a03)

Questions from Committee Members and Responses:

01:41:53 Sen. Esp to Carol Roy, SAO

Closing by Sponsor:

01:43:02 Sen. Cocchiarella

01:50:50 Break

02:00:24 Back from Break

HEARING ON SJ 17

Opening Statement by Sponsor:

02:00:41 **SEN. JIM ELLIOTT (D)**, SD 7, opened the hearing on **SJ 17**, Jobs, trade, and democracy resolution.

Proponents:

02:08:09 Don Judge, Teamster's Local 190

02:12:33 Jason Miller, Montana AFL-CIO

02:13:17 Pat Torgerson, Women Involved in Farm Economics (WIFE)

02:14:30 Katie Kassmier, Montana Farmers Union

02:16:05 Rick Moore, Montana Northern Plains Resource Council

EXHIBIT(bus41a04)

Opponents: None.

Informational Testimony: None.

Questions from Committee Members and Responses:

02:19:13 Sen. Steinbeisser to Sen. Elliott

02:20:49 Sen. Brown to Sen. Elliott

Closing by Sponsor:

02:22:06 Sen. Elliott

EXECUTIVE ACTION ON SB 541

02:23:05 **Motion:** SEN. TROPILA moved that SB 541 DO PASS.

Discussion:

02:23:58 Sen. Steinbeisser

02:24:17 Sen. Smith

02:24:42 Sen. Squires

02:26:20 Sen. Jackson

02:27:06 **Motion/Vote:** SEN. BROWN CALLED THE QUESTION ON SB 541.
Motion carried 8-3 by voice vote with SEN. BALYEAT,
SEN. LARSON, and SEN. SQUIRES voting no. SEN. BALYEAT
voted by proxy.

EXECUTIVE ACTION ON SJ 17

02:27:44 **Motion/Vote:** SEN. TROPILA moved that SJ 17 DO PASS.
Motion carried 9-2 by voice vote with SEN. ESP and SEN.
STEINBEISSER voting no. SEN. BALYEAT voted by proxy.

EXECUTIVE ACTION ON SB 537

02:28:17 **Motion:** SEN. BROWN moved that SB 537 DO PASS.

Discussion:

02:28:30 **Motion/Vote:** SEN. BROWN moved that AMENDMENT SB053701.APM BE ADOPTED. Motion carried unanimously by voice vote. SEN. BALYEAT voted by proxy.

02:29:14 **Vote:** SEN. BROWN called the question that SB 537 DO PASS AS AMENDED carried unanimously by voice vote. SEN. BALYEAT voted by proxy.

EXECUTIVE ACTION ON SB 542

02:29:25 **Motion:** SEN. LARSON moved that SB 542 DO PASS.

Discussion:

02:29:52 Pat Murdo, LSD

02:30:06 Sen. Esp

02:30:45 **Vote:** Motion that SB 542 DO PASS carried unanimously by voice vote. SEN. BALYEAT voted by proxy.

EXECUTIVE ACTION ON SB 535

02:30:58 **Motion:** SEN. COCCHIARELLA moved that SB 535 DO PASS.

Discussion:

02:31:13 Sen. Cocchiarella

02:32:40 Sen. Brown to Sen. Cocchiarella

02:33:14 Sen. Tropila to Carol Roy, SAO

02:33:44 Sen. Cocchiarella to Carol Roy, SAO

02:34:10 Sen. Esp to Carol Roy, SAO

02:35:18 Sen. Cocchiarella to Carol Roy, SAO

02:36:22 Sen. Brown to Sen. Cocchiarella

02:37:19 Sen. Esp to Sen. Cocchiarella

02:37:39 **Motion/Vote:** SEN. ESP CALLED THE QUESTION ON SB 535. Motion carried unanimously by voice vote. SEN. BALYEAT voted by proxy.

EXECUTIVE ACTION ON SB 519

02:38:01 Motion/Vote: SEN. ESP moved to RECONSIDER THE MOTION on SB 519. Motion carried unanimously by voice vote. SEN. BALYEAT voted by proxy.

Discussion:

02:39:05 Motion/Vote: SEN. ESP moved that SB 519 BE TABLED. Motion carried unanimously by voice vote. SEN. BALYEAT voted by proxy.

EXECUTIVE ACTION ON SB 489

02:39:53 Motion: SEN. COCCHIARELLA moved that SB 489 DO PASS.

Discussion:

02:40:07 Motion: SEN. COCCHIARELLA moved that AMENDMENT SB048902.APM BE ADOPTED. SEN. BALYEAT voted by proxy.

EXHIBIT(bus41a05)

Discussion:

02:41:38 Motion/Vote: SEN. SQUIRES CALLED THE QUESTION ON AMENDMENT SB048902.APM. Motion carried unanimously by voice vote. SEN. BALYEAT voted by proxy.

02:41:52 Motion/Vote: SEN. COCCHIARELLA moved that SB 489 DO PASS AS AMENDED. Motion carried 10-1 by voice vote with SEN. ESP voting no. SEN. BALYEAT voted by proxy.

EXECUTIVE ACTION ON SB 467

02:42:08 Motion: SEN. COCCHIARELLA moved that SB 467 DO PASS.

Discussion:

02:42:40 Motion: SEN. COCCHIARELLA moved that AMENDMENT SB046702.APM BE ADOPTED.

EXHIBIT(bus41a06)

Discussion:

02:44:27 Sen. Squires

02:44:54 **Motion/Vote:** SEN. BROWN CALLED THE QUESTION ON
AMENDMENT SB046702.APM. Motion carried unanimously by
voice vote. SEN. BALLYEAT voted by proxy.

02:45:01 **Motion/Vote:** SEN. BROWN moved that SB 467 DO PASS AS
AMENDED. Motion carried unanimously by voice vote. SEN.
BALLYEAT voted by proxy.

Discussion:

02:45:35 Sen. Cocchiarella

ADJOURNMENT

Adjournment: 10:50 A.M.

SEN. VICKI COCCHIARELLA, Chairman

CLAUDIA JOHNSON, Secretary

VC/cj

Additional Exhibits:

EXHIBIT ([bus41aad.pdf](#))